



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1747

Introduced 2/23/2007, by Rep. Cynthia Soto

SYNOPSIS AS INTRODUCED:

750 ILCS 28/37 new

Amends the Income Withholding for Support Act. Provides that when an obligor under an order for support terminates his or her employment, whether voluntarily or otherwise, the obligor's employer must obtain a copy of the order for support. Provides that before an employer pays to an obligor any moneys on account of the obligor's termination of employment, including pension or other retirement or severance benefits, the employer must ascertain whether the obligor is liable for the payment of any portion of those moneys to the obligee under the terms of the order for support. Effective immediately.

LRB095 07292 DRJ 27431 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Income Withholding for Support Act is
5 amended by adding Section 37 as follows:

6 (750 ILCS 28/37 new)

7 Sec. 37. Obligor's termination of employment.

8 (a) When an employee terminates his or her employment,
9 whether voluntarily or otherwise:

10 (1) In the case of an employee with respect to whom an
11 income withholding notice was served on the employer, the
12 employer must obtain a copy of the order for support
13 underlying the income withholding notice.

14 (2) In the case of an employee with respect to whom an
15 income withholding notice was not served on the employer
16 because an agreement was signed by the parties as provided
17 in subdivision (a)(1) of Section 20, the employer must
18 ascertain whether the employee is an obligor under an order
19 for support. If the employee is an obligor, the employer
20 must obtain a copy of the order for support.

21 (b) Before an employer pays to an obligor any moneys on
22 account of the obligor's termination of employment, including,
23 without limitation, pension or other retirement benefits,

1 return of pension contributions, deferred compensation account
2 balances, and other employment severance payments, the
3 employer must ascertain whether the obligor is liable for the
4 payment of any portion of those moneys to the obligee under the
5 terms of the order for support.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.